

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

Comcast of Massachusetts I, Inc. ) Case No.: 04-12696-MEL  
Plaintiff, )  
vs. ) AFFIDAVIT OF ATTORNEY FOR  
Lynne Nutton ) PLAINTIFF'S REQUEST  
Defendant ) FOR DEFAULT

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Now comes John M. McLaughlin, Attorney for the Plaintiff in the above-entitled action, and, on oath, states the following:

1. On April 7, 2005, the Plaintiff filed a Complaint against the Defendant, **Lynne Nutton**, in United States District Court, alleging violations of 47 U.S.C. § 553.
2. On May 2, 2005, the said Defendant was served **by leaving at the last and usual place of abode, by Deputy Sheriff Larry Giordano** (see summons filed 5/16/2005).
3. Pursuant to the provisions of Rule 12 of the Fed. R. Civ. P., the Defendant had twenty days after being served with the summons and complaint within which to serve an answer to Plaintiff's Complaint.
4. To date, the Defendant has failed and neglected to file an answer to Plaintiff's Complaint or to otherwise defend against Plaintiff's claims.
5. I have filed herewith an application for entry of default, with the request that a Notice of Default be entered by this Court.

6. I have attached a Form of Order entitled Notice of Default, for the Court's use if it shall determine that the said Defendant is in default.

Subscribed and sworn to, under the pains and penalties of perjury, this 26<sup>th</sup> day of May, 2005.

Respectfully Submitted for the Plaintiff,  
By Its Attorney,

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UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

<b>Comcast of Massachusetts I, Inc.</b>	)	<b>Case No.: 04-12696-MEL</b>
	)	
<b>Plaintiff,</b>	)	<b>ORDER FOR NOTICE OF REQUEST</b>
	)	<b>FOR DEFAULT</b>
<b>vs.</b>	)	
	)	
<b>Lynne Nutton</b>	)	
	)	
<b>Defendant</b>	)	
	)	
	)	

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Upon application of the Plaintiff for an order of default for failure of the Defendant to plead or otherwise defend, as provided by Rule 55(a) of the Federal Rules of Civil Procedure, notice is hereby given that the Defendant has been DEFALTED this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

BY THE COURT

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Deputy Clerk